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APR 2 9 2005

OFFICE OF PETITIONS

In re Application of Ferrant and Jacquet Application No. 10/627,955

Filed: July 25, 2003

Attorney Docket No. s01022/81076

LETTER AND

: NOTICE OF ABANDONMENT

Reference is made to the petition under 37 CFR 1.47(a) filed March 30, 2005, in the above-cited application.

Petitioner is advised that no decision can be rendered on the petition under 37 CFR 1.47(a) because the application is abandoned.

The record reflects that a Notice to File Missing Parts of Non-provisional Application was mailed on April 22, 2004, requiring payment of the filing fee, an executed oath or declaration and payment of a surcharge for the late filing of the same. The notice allowed a period for reply of two-months from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). A response to the notice was due by June 22, 2004, if no extension of time was obtained. If the due date could have been extended to November 22, 2004, with the purchase of an extension of time within the fifth month. It is apparent that even if the applicant had obtained an extension of time within the fifth month, the petition filed March 30, 2005, would be untimely and the application still abandoned. The application is abandoned as of June 23, 2004, based on the aforementioned.

The petition under 37 CFR 1.47(a) will not be considered until the application is revived pursuant to 37 CFR 1.137. Petitioner is further cautioned to review the most recent fee schedule as the fee payment for the Petition under 37 CFR 1.47 is deficient. Effective December 8, 2004, the fee for a petition under 37 CFR 1.47 is \$200.00 as per 37 CFR 1.47 and 37 CFR 1.17(g).

Further correspondence regarding this matter may be addressed to the following:

By mail:

**Commissioner for Patents** 

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Box 1450 .

Alexandria, VA 22313-1450

By facsimile:

(703) 872-9306

Attn: Office of Petitions

In re Application of Ferrant and Jacquet 10/627,955

Questions regarding this communication may be directed to the undersigned at (571)272-3222.

Kenya A. McLaughlin
Petitions Attorney

Office of Petitions